

**California Victim Compensation and Government Claims Board**  
**Open Meeting Minutes**  
**November 21, 2013, Board Meeting**

The California Victim Compensation and Government Claims Board (Board) convened its meeting in open session at the call of Acting Chairperson Michael Ramos, San Bernardino County District Attorney, at 400 R Street, Sacramento, California, on Thursday, November 21, 2013, at 10:15 a.m. Also present was Board member Richard Chivaro, Chief Counsel, acting for and in the absence of John Chiang, Controller.

Board staff present included Julie Nauman, Executive Officer; Kathy Cruz, Chief Deputy Executive Officer; and Wayne Strumpfer, Chief Counsel. Tisha Heard, Board Liaison, recorded the meeting.

The Board meeting commenced with the Pledge of Allegiance.

**Item 1. Approval of Minutes of the October 17, 2013, Board Meeting**

The Board approved the minutes of the October 17, 2013 Board meeting.

**Item 2. Public Comment**

The Board opened the meeting for public comment. No public comment was offered.

**Item 3. Executive Officer Statement**

**California State Employees Charitable Campaign (CSECC)**

VCGCB held several successful events that benefitted CSECC. This year VCGCB staff raised \$2,068, a 63 percent increase over last year's contribution of \$1,265. Executive Officer Nauman acknowledged and thanked this year's CSECC Chairs Tammy Newton and Koral Brooks for their outstanding job in organizing and implementing the events as well as VCGCB staff for their support and generosity.

**Domestic Violence Awareness Month**

October was Domestic Violence Awareness Month and VCGCB held its "Suited for Successful Families" campaign. The Campaign grew from its original "Suited for Success" Drive that began in 2011 with the goal of supplying domestic violence survivors with professional attire suitable for the workplace. During the first year, VCGCB was able to collect over 1,000 items. In 2012, VCGCB doubled that number to 2,000. This year, over 7,300 women's and children's clothing items, diapers, and toys were donated. The donations will help survivors reestablish economic independence and provide for their families. Executive Officer Nauman thanked the State agencies and businesses that participated in the event as well as VCGCB's Public Affairs team for organizing the event that helped victims directly and for the team's efforts in spreading the word around the community about the work that VCGCB does on behalf of victims.

**Item 4. Government Claims Program**

**Consent Agenda (Nos. 1-326)**

The Board adopted the staff recommendations for item numbers 1-326, with the following exceptions: item number 29 was continued for further review by staff; item 154 was removed to allow the claimant an opportunity to address the Board; item 298 was removed to allow the claimant an opportunity to address the Board at the December 12, 2013 meeting; and item number 323 was removed to allow the claimant an opportunity to address the Board at the January 16, 2014 meeting.

**Consent Agenda Appearance**

**Item 154, G613772**

**Claim of Elizabeth Tuckwell**

Elizabeth Tuckwell failed to appear. Dorothy Egel was in attendance on behalf of the State Personnel Board.

Nicholas Wagner, Government Claims Program Manager, explained that Elizabeth Tuckwell sought compensation in an amount exceeding \$25,000.00 from the State Personnel Board for legal fees,

lost wages, and denial of due process. Mr. Wagner stated that Government Claims Program staff recommended that the Board reject the claim because the issues raised involved complex matters of fact and law beyond the scope of analysis and interpretation typically undertaken by the Board.

The Board rejected the claim.

**Item 5. Claim of Total Renal Care, Inc.**

**Claim Number G613069**

Nicholas Wagner, Government Claims Program Manager, explained that Total Renal Care, Inc. requested compensation in the amount of \$98,420.00 from the California Department of State Hospitals for unpaid invoices. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$98,420.00 under authority of Government Code section 965 (agency pay).

The Board allowed the claim in the amount of \$98,420.00.

**Item 6. Claim of California Department of Human Resources**

**Claim Number G613421**

Susan Barnes was in attendance on behalf of the California Department of Human Resources. Karen Ostton and Carol Dillard attended on behalf of the California Department of Consumer Affairs, Bureau of Automotive Repair.

Nicholas Wagner, Government Claims Program Manager, explained that the California Department of Human Resources requested compensation in the amount of \$59,786.50 from the California Department of Consumer Affairs for unpaid invoices. Mr. Wagner stated that Government Claims Program staff recommended that the Board allow the claim in the amount of \$59,786.50 under authority of Government Code section 965 (agency pay).

The Board allowed the claim in the amount of \$59,786.50.

Ms. Barnes stated concern regarding recovering the \$25.00 filing fee.

Mr. Wagner explained that the \$25 filing fee would be reimbursed separately from the actual claimed amount.

**Item 7. Applications for Discharge From Accountability for Collection**

Nicholas Wagner, Government Claims Program Manager, explained that 27 requests by state agencies (applicants) were recommended for discharge from accountability for collection of debt totaling \$181,686,416.68. Mr. Wagner stated that Government Claims Program staff recommended that the Board approve the requests pursuant to Government Code section 13940, et seq.

The Board approved the request to discharge 27 requests by state agencies for discharge from accountability for collection of debt totaling \$181,686,416.68.

**Victim Compensation Program**

The Board commenced the Victim Compensation Program portion of the meeting at 10:23 a.m.

**Closed Session**

Pursuant to Government Code section 11126(c)(3), the Board adjourned into Closed Session with the Board's Executive Officer, Chief Deputy Executive Officer, and Chief Counsel at 10:24 a.m. to deliberate on proposed decision numbers 1-137.

### **Open Session**

The Board reconvened into open session at 10:35 a.m. The Board adopted the proposed decisions for numbers 1-137.

The Board meeting adjourned at 10:35 a.m.